

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

WALTER CALLIHAN)	
)	
COMPLAINANT)	
)	
vs.)	CASE NO. 9246
)	
GRAYSON RURAL ELECTRIC)	
COOPERATIVE CORPORATION)	
)	
DEFENDANT)	

O R D E R

On March 13, 1985, Walter Callihan ("Complainant") filed an answer to certain interrogatories propounded by Grayson Rural Electric Cooperative ("Grayson"). Therein, Complainant indicated that, at the evidentiary hearing in this matter, he intended to call various witnesses in support of his case, some of whom are members of the Commission and its staff.

On March 18, 1985, Grayson filed a motion to limit the issues in this case to whether or not Grayson's termination of service to Complainant was proper under Commission regulations, and what amount, if any, does Complainant owe Grayson since September, 1977.

The Commission has considered this matter and agrees with Grayson that the hearing in this matter should be limited solely to the following issues: (1) whether the Complainant owes money

for electric service received from Grayson from September, 1977, to October 8, 1982, the date of termination of service; (2) whether Complainant has paid Grayson for such service; and (3) whether Grayson properly notified Complainant of the impending termination of service for nonpayment pursuant to the Commission's regulations as set forth in 807 KAR 5:006, Section 11(2). Accordingly, only those persons having direct knowledge on any of the above-recited issues will be allowed to testify and that testimony will be limited only to those issues. Clearly, no member of this Commission or its staff has any direct knowledge of these issues and any attempt to call such persons as witnesses will be denied.


The hearing to be held in this case is for the sole purpose of gathering factual evidence relevant to the issues recited above. Any attempt by the Complainant to use this forum as a means to embarrass or defame any member of this Commission or its staff will not be tolerated. Such action by Complainant or any of his witnesses during the hearing will result in the immediate termination of the hearing and submission of the case on the record as it then stands.


IT IS THEREFORE ORDERED that Grayson's motion to limit the issues in this case is hereby granted and testimony will be received only from persons having a direct knowledge as to one or more of the following issues: (1) whether or not the Complainant owes Grayson for service received from September, 1977, to October 8, 1982; (2) whether or not Complainant has paid Grayson


for that service; and (3) whether or not Grayson properly notified Complainant prior to the termination as required under 807 KAR 5:006, Section 11(2).

Done at Frankfort, Kentucky, this 20th day of March, 1985.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary